

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

PHILIP WEGGEMAN

§

PLAINTIFF

v.

§

CAUSE NO. 1:06cv1256

§

ASHBRITT, INC.

§

DEFENDANT

JUDGMENT

This matter having come on to be heard on Defendant AshBritt, Inc.'s Motion to Dismiss [5] for lack of subject matter jurisdiction pursuant to FED. R. CIV. P. 12(b)(1), the Court, after a full review and consideration of the Defendant's Motion, Plaintiff's Response, the pleadings on file and the relevant legal authority, finds that in accord with the memorandum opinion and order entered herewith,

IT IS THEREFORE ORDERED AND ADJUDGED that Defendant AshBritt, Inc.'s Motion to Dismiss [5] for lack of subject matter jurisdiction pursuant to FED. R. CIV. P. 12(b)(1) is **GRANTED**. Plaintiff's claims are dismissed without prejudice.

SO ORDERED AND ADJUDGED this the 6th day of July, 2007.

s/ Louis Guirola, Jr.

LOUIS GUIROLA, JR.
UNITED STATES DISTRICT JUDGE